

APPROVED: February 13, 1989

ATTEST: *Anita McComb*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 45-88

December 19, 1988

The Mayor and Council of Rockville, Maryland, convened in work session in the Boards and Commissions Room, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on Monday, December 19, 1988, at 7:00 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilman Steve Abrams

Councilman James Coyle

Councilwoman Viola Hovsepian

Councilman David Robbins

The Mayor in the Chair.

Re: Rockville Housing Authority

The Housing Authority of the City of Rockville is presently purchasing homes throughout the City for use as scattered site public housing. The Commissioners of the Housing Authority discussed the scattered site program and related progress. Executive Director Sandra Crewe reported that seven families have been placed at this time. Councilman James Coyle questioned the reasoning behind allowing only five units per area; the Authority responded that it did not want the program to have any kind of impact on the area. Councilman Steve Abrams questioned if tenants could have an option to buy the house in which they were residing. Ms. Crewe responded that that option was not available at present through the public housing rental program.

Ms. Crewe reported that HUD had approved ten additional units; the Mayor and Council approved this. Mayor Duncan requested the Housing Authority to

Meeting No. 45-88

2

December 19, 1988

provide additional information at the January 30, 1989 meeting on more locations for units, especially on North Adams Street.

There being no further business to come before the Mayor and Council in work session, the meeting was adjourned at 7:30 p.m., to convene again in general session immediately following.

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chambers, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on Monday, December 19, 1988, at 7:35 p.m.

The Mayor in the Chair.

In Attendance: City Manager Bruce Romer, Assistant City Attorney Dave Podolsky, Director of Parks and Recreation Greg Bayor, Director of Planning Rick Kuckkahn, and Assistant to the City Clerk Nancy Gimble.

Re: City Manager's Report

City Manager Bruce Romer reported the following:

1. A meeting with the Rockville Housing Authority was held preceding the general session and housing units for rent was discussed.
2. The selection process for the Chief of Police was in progress and a status report would be provided as the search continued.
3. City Hall will be closed December 26, 1988 and January 2, 1989 for Christmas and New Years holidays.
4. A work session will take place January 11, 1989 to discuss the budget for FY 90.
5. A work session will take place January 3, 1989 to discuss efforts of the Cultural Arts Commission, stop sign installation, and winter maintenance.
6. A briefing will take place in January regarding City emergency

Meeting No. 45-88

3

December 19, 1988

management. City Manager Romer reported that planning procedures are currently being updated.

Re: National League of Cities

Mayor Duncan confirmed the interests of Councilman Steve Abrams and Councilman James Coyle for reappointment to the National League of Cities Transportation and Communication Steering Committee, and the Human Development Policy Committee respectively for recommendation by the Mayor and Council. Also, Councilman Coyle will be recommended for appointment to the Human Development Policy Committee Steering Committee.

Re: Appointments

With the concurrence of Council, Mayor Duncan made the following appointments.

Alternative Community Service Commission

Dorothy Ott - Reappointment - Member

Animal Control Board

Geoffrey Becker - Alternate

Board of Appeals

David Melnick - Reappointment - Member

Karen Lechter - Reappointment - Member - 1 year

Cultural Arts Commission

Marilyn Scott - Reappointment - Member

Economic Development

Richard Stolker - Reappointment - Member

Allen Kipnis - Member - Chamber endorsee

Historic District Commission

Elizabeth A. Muth - Reappointment - Member

J. Bryan Blundell - Reappointment - Member

Landlord-Tenant Affairs Commission

Dianne Fasolina (Tenant) - Reappointment - Member

Marsha Meadows (Tenant) - Reappointment - Alternate

Science & Technology Commission

Dorothy Hall - Reappointment - Member
Allen Sternstein - Member
Carrie Schaffer - Member

Senior Citizens Commission

Ray Hughes - Member

Traffic & Transportation Commission

Herbert Pennock - Reappointment - Member
F. Russell Hoyt - Member

Re: Award of Bid for Road Salt
Prince Georges County Bid #C89-080

The invitation for bid was issued for the purchase of road salt by the Metropolitan Council of Governments Requirements Contract.

Four bids were received:

<u>Vendor</u>	<u>Total Bid Amount</u>
1. Morton Salt Division of Morton Thiokol, Inc.	\$28.57 / ton
2. International Salt Company	\$29.41 / ton
3. Cargill Salt	\$30.80 / ton
4. Moreland Salt	\$42.00 / ton

The City's estimated requirement for road salt for the current fiscal year is 1,000 tons for use by the Public Works Department.

For several years, Rockville has joined with the Metropolitan Council of Governments on joint purchase of materials including road salt. This year, Prince George's County was the lead jurisdiction and issued bids for supplying approximately 45,000 tons of salt to 14 metropolitan area cities and counties. Staff recommended that the City continue its practice of buying on a joint procurement with Metropolitan Council of Governments this year for the supply of salt at the low unit price of \$28.57 per ton.

Meeting No. 45-88

5

December 19, 1988

On motion of Councilman Abrams, duly seconded and unanimously passed, award of Prince George's County Bid #C89-080 for supplying road salt for the estimated requirement of 1,000 tons at \$28.57 per ton.

Re: Award of Bid 51-89 for the purchase
of two cargo vans from Lanham Ford

This purchase will provide two replacement vehicles for the Recreation & Parks Department.

Six bids were received:

<u>Vendor</u>	<u>Model</u>	<u>Cost Each</u>	<u>Total Cost</u>
1. Lanham Ford 9020 Lanham-Severn Road Lanham, MD 20706	E-350 Cargo Van	\$11,645.00	\$23,290.00
2. Rosenthal Chevrolet 3400 Columbia Pike Arlington, VA 22204	G 30/C6P	\$12,161.39	\$24,322.78
3. JKJ Chevrolet 2000 Chain Bridge Road Vienna, VA 22180	G 30/C69	\$12,298.00	\$24,596.00
4. Central GMC Inc. 3801 Ironwood Place Landover, MD	TG 31305	\$12,508.44	\$25,016.88
5. JKJ/Sport Chevrolet 114 Baughman Lane Frederick, MD 21701	G 30/C6P	\$12,816.00	\$25,632.00
6. Seidel Chevrolet, Inc. 7610 Central Avenue Landover, MD 20786	G 30/C6P	\$12,987.00	\$25,974.00

Budget amount: \$27,000.00

Hill and Sanders submitted a bid with an exception taken to provide vehicles with a GVWR of 7900 pounds. The minimum specified on the bid proposal was for a GVWR of 8100 pounds.

Staff recommended that the low bidder, Lanham Ford, Lanham, MD, be awarded the contract to supply two cargo vans for \$23,290.00. On motion of Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council voted to award of Bid #51-89 to Lanham Ford for two cargo vans for \$23,290.00.

Re: Rejection of Bid #49-89 for purchase of three police patrol vehicles; and, Award of Contract to Criswell Chevrolet

Bid #49-89 for purchase of three police patrol vehicles was opened for the purpose of providing replacement vehicles in accordance with the FY 89 Vehicle Replacement Schedule.

Five bids were received:

<u>Vendor</u>	<u>Model</u>	<u>Cost (each)</u>	<u>Total Cost</u>
1. Rosenthal Chevrolet 3400 Columbia Pike Arlington, VA 22204	Caprice	\$13,574.26	\$40,722.78
2. Criswell Chevrolet Inc. 503 Quince Orchard Road Gaithersburg, MD 20878	Caprice	\$13,779.00	\$41,337.00
3. J.K.J. Chevrolet 2000 Chain Bridge Road Vienna, VA 22180	Caprice	\$13,788.00	\$41,364.00
4. Hill & Sanders Ford 11250 Viers Mill Road Wheaton, MD 20902	LTD	\$13,959.30	\$41,877.90
5. Seidel Chevrolet, Inc. 7610 Central Ave. Landover, MD 20786	Caprice	\$13,969.00	\$41,907.00

Staff recommended rejecting bids under Bid #49-89, because the lowest bid totalled \$40,722.00 which exceeded the budgeted amount by \$822.78. As an alternative, staff recommended the Mayor and Council authorize the City Manager to purchase three Police Patrol Vehicles through the state vendor (Criswell Chevrolet Inc.) for a total cost of \$39,162.00.

Meeting No. 45-88

7

December 19, 1988

On motion of Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council voted to award a contract for the purchase of three police patrol vehicles under Maryland State contract 89-35 to Criswell Chevrolet, Gaithersburg, Maryland, in the amount of \$39,162.00.

Re: Approval of a waiver for on-site storm water management for the Mental Health Association of Montgomery County located on the corner of Twinbrook Parkway and Baltimore Road in the Rock Creek drainage area, and acceptance of a \$9,660 contribution for the off-site SWM fund.

The Mental Health Association of Montgomery County has planned to expand the existing parking lot. The proposed parking lot will result in 0.21 acres of imperviousness. Because of the small size, the facility would be a potential maintenance problem with on-site storm water management. The contribution of \$9,660 (0.21 @ \$46,000 per acre) will support off-site SWM. Director of Planning Rick Kuckkahn recommended that the Mayor and Council grant a waiver for off-site storm water management and accept a contribution of \$9,660.

Mayor Duncan instructed staff to research if the waiver would provide adequate parking and to report their findings at the January 9, 1989 general session.

Re: Approval of a waiver for on-site Storm Water management for the expansion of the Rockville Swim Center on Martins Lane east of Mannakee Street in the Watts Branch Drainage area, and acceptance of a \$9,600 contribution for the City's off-site fund.

The construction of an additional pool and related improvements was proposed. The proposed improvements would result in 0.24 acres of additional imperviousness. On-site methods were considered but the topography of the site

and the close proximity to a tributary of Watts Branch makes on-site methods of SWM impractical. Contribution of \$9,600 (0.24 at \$40,000 per acre) would support off-site SWM. Staff recommended the Mayor and Council grant a waiver for off-site storm water management and accept a contribution of \$9,600.

On motion of Councilman Abrams, duly seconded and unanimously passed, a waiver for off-site storm water and acceptance of a \$9,600 contribution was granted.

Re: Approval of a \$30,000 addition to Hawkins Electric Company contract 25-89 for the installation of a traffic signal at the intersection of Ritchie Parkway and Henslowe Drive.

Contract 25-89 was written to permit the City to add the construction of an additional signal. Staff reported that this is an opportune time to construct an additional traffic signal at this location to eliminate a potential traffic hazard. At this time there is an on-going contract to construct traffic signals which can be easily extended, a controller to service the intersection can be obtained from the State Highway Administration under a current agreement, signal poles about to be retired from another intersection can be used, and the project can be engineered in the field because of its relative simplicity. Staff recommended the extension of contract 25-89 with Hawkins Electric to install a traffic signal at Ritchie Parkway and Henslowe Drive.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council approved the extension of contract 25-89 with Hawkins Electric to install a traffic signal at Ritchie Parkway and Henslowe Drive.

Meeting No. 45-88

9

December 19, 1988

Re: Approval of Authorization to negotiate
for Banking Services Agreement

In order to consolidate City banking services and improve cash management, the City issued Request for Proposals #44-89, Banking Services. All banks with at least one branch in Rockville were solicited.

Eight banks submitted proposals:

1. Crestar
2. Dominion
3. Equitable
4. First American
5. First National
6. Maryland National
7. Signet
8. Sovran

The proposals were reviewed on the basis of the following criteria:

1. Cost of services
2. Completeness of proposal
3. Ability to meet the City's requirements
4. Experience in providing the prescribed services
5. Financial strength of institution
6. Additional services offered

On the basis of a review of the banks' written responses, four of them were selected for panel interviews. As a result of these interviews, staff believes that First American Bank is best suited to meet the City's needs. This institution has a strong presence in the Washington metropolitan area and throughout the State of Maryland. First American maintains 16 branches in Montgomery County, including 3 in Rockville. The bank is able to provide all the services desired by the City, at favorably competitive costs, and offers attractive yields on short-term investments of idle City funds. Staff was impressed by the professionalism of First American's representatives and looks forward to an excellent relationship with this bank.

Meeting No. 45-88

10

December 19, 1988

Cost will vary depending on the volume of transactions entered into by the City for each type of service. Based on the fee schedule proposed, staff anticipates that charges could be up to \$35,000 to \$40,000 per year for the maximum possible transactions.

Staff reported that the chairperson for Rockville's Retirement and Disability Board, Eve Grover, is also an officer with First American Bank. A letter from Marlin Husted, Vice President of First American Bank, confirmed that Ms. Grover would not be involved in any way with servicing the City's accounts.

Councilman James Coyle asked if there could be a three year commitment with an additional two year option. City Manager Bruce Romer responded that would need to be researched and a status report will be provided. Mayor Duncan instructed Assistant City Attorney Dave Podolsky to research whether a conflict of interest would exist should the City enter into negotiations for banking services with First American Bank. By consensus, the Mayor and Council instructed staff to proceed as recommended.

Re: Award of Bid No. 67-89, Construction
of Phase I - Rockville Municipal Swim
Center Outdoor Fitness Pool

Bid #67-89 for construction of the Rockville Municipal Swim Center, Phase I, was advertised in Construction Market Data, BidNet, Blue Reports, FW Dodge Reports and the Washington Post. Five bids were received:

<u>Vendor</u>	<u>Total Bid Amount</u>
1. ATE Construction, Inc. 10726 Baltimore Avenue Beltsville, MD 20705	\$1,115,216.00
2. Smith and Haines, Inc. 1101 Grandin Avenue Rockville, MD 20851	\$1,144,336.00

Meeting No. 45-88

11

December 19, 1988

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| 3. | The Hahn Companies, Inc.
7008 Heatherhill Road
Bethesda, MD 20817 | \$1,174,500.00 |
| 4. | Golden Construction, Inc.
7331 Little River Turnpike
Annandale, VA 22003 | \$1,226,584.00 |
| 5. | William F. Klingensmith, Inc.
932 Hungerford Drive
Rockville, MD 20850 | \$1,302,820.00 |

This award is for Phase I construction of a new outdoor "fitness pool" built next to our outdoor pool. This CIP project 7R61 is a two-pool concept consisting of a fitness pool and a recreation pool (built in the "footprint" of the existing outdoor pool). Plans for Phase II are underway with bidding expected next fall and winter construction.

The Phase I project will be a rectangular pool 50 meters by 25 meters. It will have a deep end to accommodate a 3,1, and 1/2 meter diving board, and a regulation water polo field. There will be eight 50 meter lanes and twenty-two 25 meter lanes for competition or lap swimming. The additional water space will double our capacity for lessons and regular users. Also included is a ramp and built-in seating between the two pools.

Additionally, Phase I is to include construction of a new toilet and storage facility next to the existing snack bar, duplicating its appearance. The project is scheduled for completion in 180 days, which should be July 1, 1989.

Councilman Dave Robbins asked if the 180-day completion date was realistic; Director of Parks & Recreation Greg Bayor replied that it was. He added the proposed pool met all national standards for polo and other competitions.

A representative of the architects of the project, Ron Smith, stated that

Meeting No. 45-88

12

December 19, 1988

his firm had experience in constructing 50-meter pools.

Staff recommended that the Phase I project be awarded to ATE Construction Co., Inc. for a low bid of \$1,115,216, which is \$157,256 over the amount budgeted for the project. Funding of the excess amount can be recovered from other authorized sources within two to three years.

On motion of Councilman Coyle, duly seconded and unanimously passed, award to ATE Construction Co., Inc. for a low bid of \$1,115,216.

Re: Application to Close and Abandon
Public Way SCA-55-88, Montgomery
County Board of Education, Applicant

The application requests abandonment of a segment of Richard Montgomery Drive right-of-way that extends from E. Jefferson Street into Richard Montgomery High School site. Staff and the Planning Commission recommended approval of the application, subject to recordation of an easement over an existing public storm drain located within the subject right-of-way. On motion of Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council approved the application pending the above stipulations.

Re: Text Amendment T-90-88, Mayor and
Council, Applicant

The text amendment was prepared and filed on behalf of the Mayor and Council to address numerous problems that have occurred with uses that have operated under the temporary permit provisions of the Ordinance. The text amendment proposes to delete from the Zoning Ordinance sales of garden produce, house plants and cut flowers as uses allowed by temporary permit issued by the Superintendent of Licenses and Inspection.

Staff recommended approval of the text amendment as proposed. The Planning Commission recommended a modified form which would only retain sales

of garden produce as a desirable service to the community, but would impose a specific time frame on such activity. The Commission therefore recommended that the Mayor and Council approve Text Amendment T-90-88 in a modified form which still allows sale of garden produce during the months of May through October. On motion of Councilman Coyle, duly seconded and unanimously passed, the Mayor and Council approved Text Amendment T-90-88 as modified allowing the sale of garden produce during the months of May through October.

Re: Courthouse Square Modifications

A presentation was given by Stephen & Good regarding Courthouse Square modification options for bollards, tripping points, and the center rotary along with proposals for signage. Several maintenance problems have been identified since the opening of Courthouse Square: handicap accessibility, numerous tripping points, damage to bollards by vehicles, and traffic problems with the rotary. Additionally, the consultants have been asked for design proposals for "event" signage that blends in with the character of the park.

The modifications Stephen & Good suggested are below.

1. Rotary: Due to the concern of impediment to traffic and cars damaging bollards, it was recommended that the rotary be changed to a straight drive through and the City logo be placed in the current rotary.
2. Benches: Many benches are currently located on grades which require a step to level the seating area. Because the steps have become a tripping and safety hazard, it was recommended that the steps be eliminated by relocating benches to level areas (by turning them sideways instead of against the grade), facing each other. Benches not conducive to turning would be placed in the arcade.

Meeting No. 45-88

14

December 19, 1988

3. Parking: Cars attempting to park have damaged some bollards. It was recommended that the bollards be removed from the parking area.

4. Bollard Construction: The bollards that currently line the road are not structurally sound. When hit by a car, the granite caps often fall off and the appearance of the bollard suffers. It was recommended that a stronger connection be made by using an epoxy.

Regarding the rotary, Councilman Dave Robbins voiced concern over increased and higher speed. Also, he questioned how these changes affected access to the bank, tennis court and Courthouse parking. Mayor Duncan agreed that the rotary is a safety concern.

Councilman Abrams asked whether bench space would be lost when events were held in the arcade, because this is the very time bench space is the most important.

Signage options were also presented. Because most traffic is pedestrian, it was recommended that signage be located at either end of Courthouse Square in a directory format. The sign would have to be internally illuminated, with hand placed white letters on a black background. Flexibility and cost efficiency were the reasons for the recommendation.

City Manager Romer stated that a report would be made available to the Mayor and Council upon completing research on the above concerns.

Re: New Business

1. Traffic Engineer Joe Cutro reported that the construction of widening improving the intersection at Falls Road and Ritchie Parkway would be completed by late December, weather permitting, and that a follow up report would be provided in the next brief book.

2. Councilman Abrams questioned whether the opening of Falls Road might be

accelerated from July or August to Memorial Day. City Manager Romer responded that the matter would be researched.

3. Councilman Coyle questioned Joe Cutro whether sidewalks were planning to be provided on Falls Road. He responded that sidewalks would be constructed on Falls Road upto Julius West High School and on Maryland Avenue.

4. Councilman Coyle reported that he was approached by a group at the December 17th drop-in session interested in organizing a Rockville Science Center as an educational tool for the public.

5. Mayor Duncan thanked the Parks & Recreation Department in recognition of the lovely holiday decorations displayed throughout the City.

6. Assistant to the City Attorney Dave Podolsky requested the Mayor and Council to move that:

"In the absence of the City Clerk, Anita McCombs is authorized to execute and attest any and all documents to the same extent as the City Clerk."

On motion of Councilman Steve Abrams, duly seconded and unanimously passed, the Mayor and Council approved the authorization of Anita McCombs to execute and attest documents to the same extent as the City Clerk, in the absence of the City Clerk.

7. Mayor Duncan discussed a new initiative for a small business roundtable. He instructed staff to provide suggestions for implementing further dialogue between the Mayor and Council, business, and community.

Re: Executive Session

On motion of Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council convened in Executive Session at 9:30 p.m. to discuss personnel matters in the City Manager's Conference Room, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland.

Meeting No. 45-88

16

December 19, 1988

Re: Adjournment

There being no further business to come before the Mayor and Council in Executive Session, meeting was adjourned at 10:30 p.m., to convene again in Work Session on Tuesday, January 3, 1989 or at the call of the Mayor.